

ANALYSIS

This Ordinance amends Title 20 - Utilities of the Los Angeles County Code by increasing the annual sewer service charge for the Consolidated Sewer Maintenance District and the Marina Sewer Maintenance District, increasing the additional annual zone sewer service charges for the Malibu Zone and the Topanga Zone of the Consolidated Sewer Maintenance District, and making technical changes through deletion of unnecessary historical references.

RAYMOND G. FORTNER, JR.
County Counsel

By 

FREDERICK W. PFAEFFLE
Principal Deputy County Counsel
Public Works Division

FWP:kt

Requested: 06/12/08

Revised: 06/18/08

ORDINANCE NO. 2008-0032

An ordinance amending Title 20 - Utilities of the Los Angeles County Code, to increase sewer service charges for the Consolidated Sewer Maintenance District, Marina Sewer Maintenance District, and the Malibu Zone and Topanga Zone of the Consolidated Sewer Maintenance District.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 20.40.030 is hereby amended to read as follows:

20.40.030 Legislative intent--Basis for levy of charges.

The action of the voters on June 6, 1978, has substantially reduced the amount of money from ad valorem assessments available for the maintenance of sewers within the District. The sewers in the District must be properly maintained in order to protect the public health and safety of the residents therein and the general public. It is therefore necessary to impose a sewer maintenance service charge upon the properties within the District. As used herein, "maintenance" includes acquisition, construction, reconstruction, maintenance and operation, and sewer maintenance service charges collected under this chapter may be used for any purpose authorized by Section 5471 of the Health and Safety Code of the state of California. In order to avoid the substantial costs of establishing a billing system for collection of the charges, the board of supervisors finds that the charges should be collected on the tax roll. ~~Due to the legal deadlines for such collection, it is necessary for the ordinance codified in this chapter to be effective by August 10, 1978. Based upon the recent change in law, the information available to the board of supervisors and its staff, the size of the District, and the short~~

~~time within which to enact such ordinance, t~~The board of supervisors further finds that the most equitable basis upon which to levy the charge is on the basis of the land use of each parcel of property within the District, as shown on the assessor's rolls.

SECTION 2. Section 20.40.040 is hereby amended to read as follows:

20.40.040 Levy of annual service charge--Amount.

An annual sewer service charge is levied upon each parcel of real property in the District for the services and facilities furnished by the District ~~beginning July 1, 1982.~~
The amount of the charge for each parcel shall be computed by multiplying the sewage units charge by the number of sewage units ~~for current land use of the parcel, as shown in Table A, set out at Section 20.40.100~~for the parcel, as determined by the parcel's designated land use. The number of sewage units applicable to designated land uses is shown in on Table A in Section 20.40.100. A parcel's designated land use is shown on the assessor's rolls. The sewage unit charge is \$2732.50.

SECTION 3. Section 20.40.060 is hereby amended to read as follows:

20.40.060 Additional zone charges--Foxpark Drive, Malibu and Topanga Zones.

A. An additional annual zone sewer service charge as set forth below is levied upon each improved parcel of real property in each of the following zones for additional services provided within this zone:

Zone	Per Improved Parcel
Foxpark Drive Zone	\$22.10

Zone	Per Improved Parcel
Malibu Zone	1,569.00 2,258.00
Topanga Zone	401.60 650.00

B. An additional 15-year zone sewer service charge of \$219.00 is levied upon each improved parcel of real property in Tract 48853, with the exception of Lots numbered 1 through 22, in the Malibu Zone to repay a State Revolving Fund loan for the Malibu Water Pollution Control Plant rehabilitation project. This charge shall begin in Fiscal Year 2001-2002 and end in Fiscal Year 2015-2016.

C. These charges shall be in addition to the charges imposed by Sections 20.40.040 and 20.40.045.

SECTION 4. Section 20.44.030 is hereby amended to read as follows:

20.44.030 Legislative intent--Basis for levy of charges.

The action of the voters on June 6, 1978, has substantially reduced the amount of money from ad valorem assessments available for the maintenance of sewers within the District. The sewers in the District must be properly maintained in order to protect the public health and safety of the residents therein and the general public. It is, therefore, necessary to impose a sewer maintenance service charge upon the properties within the District. In order to avoid the substantial costs of establishing a billing system for collection of the charges, the board of supervisors finds that the charges should be collected on the tax roll. ~~Due to the legal deadlines for such-~~

~~collection, it is necessary for the ordinance codified in this chapter to be effective by August 10, 1978. Based upon the recent change in law, the information available to the board of supervisors and its staff, the size of the District, and the short time within which to enact said ordinance, t~~The board of supervisors further finds that the most equitable basis upon which to levy the charge is on a charge in proportion to the amount of water used in a previous one-year period.

SECTION 5. Section 20.44.040 is hereby amended to read as follows:

20.44.040 Levy of annual service charge--Amount.

An annual sewer service charge shall be levied on each possessory interest within the District for services and facilities furnished by the District. The amount of the charge for each possessory interest shall be computed by multiplying the sewage unit charge by the number of sewage units for current land use of the possessory interest as shown in Table A, set out in Section 20.44.060. The sewage unit charge is \$420 190.00 per unit, ~~effective as of Fiscal Year 2000-2001.~~

[MALIBUZONEFPCC]

SECTION 6. This ordinance shall be published in The Metropolitan News a newspaper printed and published in the County of Los Angeles.



Yvonne B. Burke
Chair

ATTEST:

Sachi A. Hamai

Sachi A. Hamai
Executive Officer -
Clerk of the Board of Supervisors
County of Los Angeles

I hereby certify that at its meeting of June 24, 2008 the foregoing ordinance was adopted by the Board of Supervisors of said County of Los Angeles by the following vote, to wit:

Ayes

Supervisors Gloria Molina
Zev Yaroslavsky
Michael D. Antonovich
Yvonne B. Burke

Noes

Supervisors None

Effective Date: July 24, 2008

Operative Date:

Sachi A. Hamai

Sachi A. Hamai
Executive Officer -
Clerk of the Board of Supervisors
County of Los Angeles

I hereby certify that pursuant to
Section 25103 of the Government Code,
delivery of this document has been made.

SACHI A. HAMAI
Executive Officer
Clerk of the Board of Supervisors

By [Signature]
Deputy



APPROVED AS TO FORM:
RAYMOND G. FORTNER, JR.
County Counsel

By Leela Kapur
Leela Kapur
Chief Deputy County Counsel